

Notice of Allowability

Application No.

10/791,741

Examiner

Yaritza Guadalupe McCall

Applicant(s)

ALECCI, LAVERN

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After-final filed August 25, 2005.
2. ☒ The allowed claim(s) is/are 11-13 and 15-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

In response to After-Final Amendment filed August 25, 2005

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Amir Behnia on September 13, 2005.

The application has been amended as follows:

- a. Please replace claim 11 as follows :

11. A plumb bob bracket, comprising:

a first leg having a first panel and a second panel attached to said first panel along common edge and defining a space therebetween;

a second leg having a first panel and a second panel attached to said first panel along a common edge and defining a space therebetween;

said first leg having a first end, said second leg having a first end, wherein said first leg first end is attached to said second leg first end at an angle;

a bar member having a first end aligned and attached to said first panel of said first leg and a second end aligned and attached to said first panel of said second leg;

a string having a first end and a second end, said second end is attached to said bar member of said plumb bob bracket, and a plumb bob is attached to said first end;

wherein said plumb bob bracket is removably attached to adjoining first and second beams of a stud wall in a manner that said first beam is positioned within said space between said first and second panels of said first leg, and said second beam is positioned within said first and second panels of said second leg, and said bar member remains a substantially horizontal position.

b. Please replace claim 18 as follows :

18. In combination with a first stud wall and a second stud wall each having an upper beam, a lower beam, and a plurality of vertical beams therebetween, a plumb bob bracket, comprising:

a first leg having a first panel and a second panel attached to said first panel along a common edge and defining a space therebetween;

a second leg having a first panel and a second panel attached said first panel along a common edge and defining a space therebetween;

said first leg having a first end, said second leg having a first end, wherein said first leg first end is attached to said second leg first end at an angle;

a bar member having a first end aligned and attached to said first panel of said first leg and a second end aligned and attached to said first panel of said second leg;

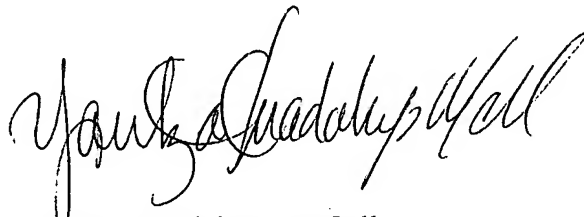
wherein said plumb bob bracket is attached to said first stud wall upper beam in a manner that said first stud wall upper beam is positioned within said space between said first and second panels of said first leg, and said second stud wall upper beam with said first and second panels of said second leg.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaritza Guadalupe McCall whose telephone number is (571)272-2244. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Yaritza Guadalupe-McCall". The signature is fluid and cursive, with the first name "Yaritza" being more prominent.

Yaritza Guadalupe-McCall
Patent Examiner
Art Unit 2859

YGM
September 19, 2005